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approving agitation and injustice. About 250,000 thus registered their sentiment against agitation.

When the real facts are known to

the people of California they will act fairly and justly. The Japanese seem to have confidence in them and in the rest of the United States.

The Anti-Japanese Question in California

By BARON SHIMPEI GOTO

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FEW international questions have been so openly laid before public attention and yet so grossly misrepresented as the anti-Japanese question in California. For instance, though it has commonly been called the Japanese immigration question, it is no longer the question of immigration at all (that has been stopped) but the question of the treatment of the immigrants that are already there. A question of this nature, however, usually lends itself to excited and confused discussions. In order to have a fair appreciation of the problem it is necessary to disentangle the essential facts and issues involved out of the clouds of opinions.

I

The facts are simple enough. There are at present 80,000, more or less, Japanese in the state of California. Many of them are independent farmers engaged in garden and truck-farming. The total acreage owned by them is about 30,000, and that of the leased land 330,000. A greater majority migrates from place to place according to seasons as harvest helpers. Between these two classes the line is not fixed. They constantly change from the one to the other as their success and failure induce them. They are fairly well scattered over the state, but in such localities as Sacramento Valley, San Gabriel and several others where conditions are especially adapted to their work they are clustered in small communities of their own, the

appearance of which can best be described as camps. They live very plainly and work very industrially and fulfill a useful and, I should say, almost unreplaceable function in the economic life of the state. Their honesty is unimpeachable, so much so that I often heard it said that banks will advance them money on the conditions which (if proposed by Americans), will be refused. They are, of course, entirely peaceful.

The menace of Hawaiianizing California does not yet exist as fact. It is at most only a tendency to be apprehended if substantial numbers of new immigrants continue to stream in. Japanese immigrants seem to be rather procreative. The assertion, however, so frequently made by agitators that at the present birth ratio the Japanese of the state will outnumber Americans in seventy years is an abstract statement based on imperfect statistics, which I have had no means of ascertaining. The reality, however, does not give one the least impression of that sort and, as the American public well know, most investigators from the eastern states return with the feeling that America can very well take care of them, if the number is not increased by a continued addition of new immigrants. As to the alleged unlawful entry of Japanese over the Mexican borders, it is generally believed that there have been such cases, but no evidence that it has been going on to such an extent as to add substantially

to the Japanese population in the state of California has ever been established.

These are the essential facts upon which the Californian issue has been raised. That issue, stripped of all its legal subtleties, is this: Japanese shall have no right to own or lease land for agricultural purposes. The ownership of land by Japanese was prohibited by the anti-alien land law of 1913, which has ever been a subject of diplomatic protest by the Japanese Government. Meanwhile, Japanese have found a way to acquire land, in spite of this law, in the name of corporations or native-born minors. The proposed new legislations strike at this practice of evasion by prohibiting them to become members of corporations empowered to acquire and possess agricultural land or to become guardians of the real estate belonging to minors. Furthermore, it deprives them of the right to lease land, which was limited to a period of three years in the law of 1913.

II

In 1913, when the anti-alien land law was enacted, and further back in 1908 when the so-called "Gentleman's Agreement" was signed, the Californian agitators made much against the low economic status of the Japanese immigrants. They pictured them as under-selling white man's labor and generally degrading the social standards of the people of California. It is certainly a great advance that in the present agitation these charges are scarcely heard. As a matter of fact Japanese are now earning as much as, and in many cases more than, white laborers in similar lines of work. In these lines of work they are unquestionably more efficient. Far from degrading social standards, I have often heard elderly American ladies comment on the personal tidiness of the Japanese boys. "It is a marvel," they said,

"how these boys keep well-dressed with their limited incomes." During the latter part of the war when the Japanese farmers were specially prosperous the number of those who came to market in trucks instead of wagons phenomenally increased. I have heard many Americans, in a good-humored jealousy, speak of it. Under such changed situations the former arguments of the agitators are out of place.

Whether the Japanese question in California is economic or racial has long been a subject of confused discussion. Those who claim it as a purely local issue are inclined to present it as an economic question. In this they harken to their sense of justice. Indeed, if it is an economic question where the standards of wages and living are concerned, they can rightly regard it as a local issue. But, then, the remedy will be found simply in the improvement of the economic status of these immigrants. That has come with an unexpected rapidity. If further improvement is desired, means are not lacking; and given proper means, the prospect is bright. Most Japanese children study in American schools and their records stand above the average of American children. As their intelligence and sentiment grow in the American atmosphere, they naturally turn away from soil and look into more varied spheres of activity than their parents ever thought of. A sad feeling prevails among the thinking Japanese in California that these native-born boys and girls, losing the grit and patience that have kept their parents stuck to soil and at the same time denied the equal right with Americans to essay higher things, will sink into the status of the servile class of domestic and clerical sorts. All this shows that if the question is an economic one the remedy is simple and just what Japanese desire. The economic ques-

tion argument and the discriminatory measures are plain contradictions. Is it any wonder that those who hold this view appear to Japanese wholly insincere? They are simply evading the real issue and compromising their sense of justice.

The real question is of more fundamental significance. It is racial—that is to say, racial antipathy. Much of this racial antipathy is mere prejudice. Take for instance the question of assimilability. Assimilability may mean anything from elevation of economic status and adaptation to new standards of civilization to changing of the color of skin. It is no fault of Japanese that they can not change their color of skin from brown to white; but in all other respects where assimilation can reasonably be demanded of them, they have shown the evidence of remarkable facility. Not only has their economic status rapidly improved but in thought and sentiment also they have become American. It is not uncommon to hear Japanese parents in California complain that they can not teach their children the Japanese history or literature or impart to them any ideas that they have brought from their old homes. Almost all Japanese now domiciled in California have been there for more than ten years and are greatly changed from what they were. Visitors from Japan return often astonished at their change. But they in turn, however, are surprised at the radical change that has taken place in their children's minds. These boys and girls are Americans in all but their physical appearance. I believe that the Japanese are a race that is particularly susceptible to the influence of environment. The Japanese history is, in fact, one long series of assimilation of different civilizations. Even Californian agitators themselves, in their moments of private reflection,

admit the wonderful power of adaptability of Japanese, although in public they do everything to prevent the process of assimilation from running its natural course.

Racial antipathy, however, may not be all prejudice. There may be in it certain desideratum which all the reason one possesses at present can not overcome. One knows that it is irrational but it is still there in spite of one's reason. Humanity will, no doubt, conquer it in the end; else we will not believe in humanity. But the process will certainly be long, and requires the utmost tact and patience. Meanwhile, it is a good worldly wisdom that friendship shall be kept at some distance. But it is not a sound sense to complain of the difficulty of assimilation while doing everything to prevent it. If your instinct tells you that Japanese are unassimilable and must be kept at a distance, you may safely trust to your instinct without resorting to arbitrary and dogmatic measures. Your instinct is your nature, and nature will take care of itself and knows its purpose better than you do yourself. But whatever your instinct reveals, your reason must also speak. It must speak, with all the authority it can command, that we must be friends and fulfill the essential conditions that make friendship possible.

Here we come to the essence of the question. It is a question of treatment. Japan is not sending you new immigrants since you do not want them. She is not trying to blend the two races, since its wisdom is in question. She is asking simply that those of her people who are already in America shall be given decent treatment that will make possible the friendship of the two peoples.

III

The Californian agitators can not

dip their fingers into this delicate dish, like children, without making a mess of it. Waiving for the moment more fundamental problems involved, their proposed measures come at once into conflict with the spirit of the American constitution and the treaty between the two countries. It is not the purpose of this paper to go into the question of legal technicality, but enough must be said to clear the ground for the final determining issue. The first four sections of the proposed legislation stand as follows:

SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state.

SECTION 2. All aliens other than those mentioned in section one of this act may acquire, possess, enjoy and transfer real property, or any interest therein, in this state, in the manner and to the extent and for the purpose prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SECTION 3. Any company, association or corporation organized under the laws of this or any other state or nation, of which a majority of the members are aliens other than those specified in section one of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy and convey real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise. Hereafter all aliens other than those specified in section one hereof may become members of or acquire shares of stock in any company, association or corporation that is or may be authorized to acquire, possess,

enjoy or convey agricultural land, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SECTION 4. Hereafter no alien mentioned in section two hereof and no company, association or corporation mentioned in section three hereof, may be appointed guardian of that portion of the estate of a minor which consists of property which such alien or such company, association or corporation is inhibited from acquiring, possessing, enjoying or transferring by reason of the provisions of this act. The public administrator of the proper county, or any other competent person or corporation, may be appointed guardian of the estate of a minor citizen whose parents are ineligible to appointment under the provisions of this section.

The particular parts of the constitution and the treaty brought into discussion in connection with the above legislations are as follows:

The fourteenth amendment of the constitution of the United States provides that "no states shall make or enforce any law which shall . . . deny to any person within its jurisdiction the equal protection of the laws."

Section 1 of the treaty of 1911 between the United States and Japan states that:

The subjects or citizens of each of the High Contracting Parties shall have liberty to enter, travel and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease or occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential or commercial purposes, and generally to do anything incident to, or necessary for trade upon the same terms as native subjects or citizens.

Those who contend that the proposed measures violate neither the constitution nor the treaty base their case on the absence of the word "agri-

cultural" or other general terms that will cover agriculture in the treaty, and they contend that the "equal protection of law" guaranteed in the constitution applies in this case only to the rights specifically stated in the treaty. Those who hold the contrary view argue that the word "commercial" of the treaty implies agriculture, on the ground that commerce is impossible without production. They cite also the most favored nation clause in another part of the treaty, which they interpret as a general principle and the pervading spirit of the treaty. They bring also the precedent of the supreme court of the state of Washington in 1907, in which similar legislations were declared unconstitutional.

It is not for me to say how the word "agricultural" or other general terms came to be omitted in the treaty, and there is no recognized court of justice to pronounce judgment on the case. But the significance of this omission seems to be fairly clear. The treaty is a diplomatic document and not an ordinary legal one. The omission was diplomatically made and never intended to be construed in the narrow legal sense. If it means anything exclusive at all, it means that the question is pending.

That is precisely the point. All the negotiations Japan has been conducting are for the purpose of settling this point, because on it is staked the principle of equality. If this question were already settled and diplomatically admitted, there would have been no need for the protracted negotiations now extending for several years. It will be an unerasable blemish in the American diplomatic history if all these negotiations, which have every reason to arrive at a rational solution, be allowed to be broken by the off-hand manner of the Californian agitators. Their supposed legal interpreta-

tions, therefore, completely miss the mark. Like the economic-question argument it is a deliberate attempt to get round the vital point. Japanese do not want to make verbal travesties of their innate sense of justice and fair play, for which they are fighting.

IV

Some future historian will probably record the Californian agitation as an unfortunate incident in the westward march of the American civilization with its outposts now extended to the other side of the Pacific. Thirty years ago when the stream of the Japanese immigrants began to pour into the Golden Gate, America welcomed it with a true Whitman spirit, "I am large; I contain multitude." The process has since been reversed. The stream of oriental immigrants has not only been checked but a counter stream has begun to flow—I mean the American capitalist influence with missionaries and publicists as its vanguards. No hostile criticism is implied in this statement. Both Japan and China have needed that influence and are benefited by it, as their immigrants in their humble way benefited America. What is suggested is this: It is not a comfortable thought for us to see ourselves thrown down and cowed on the one side of the Pacific and watched and bullied on the other. On the Pacific slope we painfully looked up from below, but in America we are lorded over. For the moment I am chiefly speaking of China, where Americans can not only own and lease land but build railways and secure concessions with patronizing airs. Perhaps that may be the way China can be developed and it may ultimately be for her own good. In any case, she has to blame herself for her present predicament; but it is hard for us Japanese, watching this plight of

our neighbor from aside, to reconcile to the thought that we ourselves have been threatened with the same fate on the other side of the Pacific—and that after we are given all the credit for our virtues, intelligence and civilization.

Nor is this all. The interference of American agitators concerning the affairs of the Far East has frequently been the cause of no small irritation to us. We have recently had a series of it; the Shantung question, the Saghalien question, and the cable problem, to mention only a few conspicuous instances, and speak of nothing about the discourteous propaganda indulged in by some Americans in the Far East. In all such questions America is applying to us the most perfect and saintly canons of international dealings, which are observed nowhere else in this troubled world and which America herself failed to observe in almost everything that concerns her. It is a curious reflection of the egoistic psychology of a nation that American agitators, who have said so much about the Hawaiianizing menace of California, have said not a word about the Hawaiianizing menace that exists in its reverse form in the Far East much more potently. And yet we do not think of discriminating against America, because we feel that after all that is the way humanity mingle and civilization advances. But you can not expect that Japanese will think of the Californian question dissociated from these considerations.

At bottom, the Californian question is, then, one of principle. Nothing less than the principle of equality is concerned, and no other solution than the one that will preserve this principle in its essential features will satisfy us. It must, however, be remembered that it is not the intention of Japan to send more immigrants to America. Not

only has Japan actually stopped the stream of new immigrants since the "Gentlemen's Agreement," but she has realized that it is not to her best interest to have too large a number of her race left adrift on the Pacific coast. Her surplus population can more conveniently be taken care of in the East, where it will do a permanent good. We are not, therefore, pressing for uncompromising application of the principle of equality in all its practical implications. We are simply asking that those of our race who are already there shall be decently treated and that no discriminatory legislations that violate the principle shall be enacted. We know that the road to freedom is long and much tact and patience is necessary to travel on that road. We will on our part do all that is necessary from the point of view of practical expediency, but we can not sacrifice the principle itself. The essential features of the principle must be preserved for the sake of the humanity of the world, if for no other purpose.

I can not refrain from reminding readers of the sanity of the "Gentlemen's Agreement." As a practical policy, the Californian problem is essentially a diplomatic one and can be dealt with satisfactorily in no other spirit than that of the "Gentlemen's Agreement." With a proper precaution it can safely be left to natural solution. Unassimilable elements, after they have performed their useful function, will eventually return home, and the native-born minors, given legitimate opportunities, will shift for themselves. I recall the impression I had a few years ago in the course of conversation with a certain prominent Japanese in California. He spoke encouragingly about the prospect of these boys going to east and South America as vanguards of the American business in these directions. It will

be a graceful irony of fate if America educates them, uses them, and sends them back in that capacity. After

all, God is great and His resourceful work can not be limited by a short-spanned vision of men.

Hawaii's Experience with the Japanese

By DOREMUS SCUDDER¹

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IN 1902-1903 while in Japan furbishing my scanty knowledge of the Japanese language and getting in touch with conditions that influenced the movement of immigration to Hawaii and to the mainland of the United States, finding myself in Shibata, a town in the prefecture of Niigata where years before I had served as a missionary, I was surprised by a number of country folk calling upon me to carry personal messages of some importance to their relatives in the Hawaiian Islands. This led in time to an arrangement with the Home Department of the Japanese Government by which I toured under official supervision parts of the seven prefectures, whence the largest number of emigrants had set forth and gathered in writing something over 3,300 separate messages from the home folk to their oversea relatives. When I returned to Hawaii in 1903 to take up religious work among Japanese there, and shortly thereafter to succeed to the position of General Superintendent and Secretary of the Hawaiian Board of Missions, I visited all but one of the Island sugar plantations—the exception being a very small affair since discontinued—and succeeded in delivering a little more than one-third of these messages, the other two-thirds representing Japanese who had gone to the American mainland or died or changed their

names. This experience brought me into closest touch with industrial conditions in the Islands and with the inside of the entire question of Japanese immigration.

In considering any industrial phase of Hawaii's life, the climate which irresistibly solicits to out-of-doors must be kept in mind. Hence, although in 1903 housing conditions for Oriental laborers were in not a few plantations atrocious from a mainland point of view, they were not nearly as bad as they looked. The old time contract labor system which cursed Hawaii up to annexation, while no longer in force, had left survivals in the shape of a few unsocial if not cruel field bosses and in some places an atmosphere of coercion; but these soon disappeared under the influence of the American spirit. These reminiscences of past abuses occasioned here and there a local strike but without violence or destruction of property and quietly ended through the reasonableness of Island capital.

Larger opportunities for amassing what to Japanese farm laborers seemed a fortune were in 1903 and subsequent years luring thousands from Hawaii to California. That was the day of somewhat unscrupulous and often grafting emigration companies which sprang up by the dozen in various parts of Japan, and won a golden harvest for their promoters. Hearsay affirmed that some of these were not averse to the practice of reaping a crop

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